

1906-634  
Lee Co.

Chancery Causes: Nancy E. Mideham vs. Josephus Crabbe &c

Hobbs, Munsey, Haylewood, Lyons, Blankenship, Street, Russell,  
Cawood, Howard, Hickam, Graybeal, Eversole, Hamilton, Ritchie

CA-Estate Dispute  
T-Property



To the Honorable H.A.W.Skeen, Judge of the Circuit Court of  
Lee County Virginia:

Humbly complaining, your complainant, Nancy E. Mileham would respectfully represent and show unto your honor that she is a daughter of the late Jacob Graybeel dec. that her said Father in his life time owned considerable real estate situated in Lee County Va. about ten miles West of Jonesville, that her said Father in his life time deeded all the real estate which he owned to his son Josephus Graybeel and his daughters, your Complainant, Catharine Munsey, Jane Russell, and Martha Hobbs; that during the life time of all of them, all the aforesaid real estate was partitioned among those entitled thereto, except about eleven acres situated on the South side of the Poor valley Ridge, and bounded on the South by the lands of H.E. Edds, James Morgan and Alex. Ingle; and on the North by the land of Wm. Ingle Andy Ingle and Luke Irvin, on the East by A.J. Myers and on the West by F.A. Munsey; this tract of land owned by Jacob Graybeel at the time of his death has never been partitioned. Your complainant alleges that it is not practicable for it to be divided, but that it should be sold.

Your complainant would further show your honor that her said Father died on the \_\_\_\_ day of \_\_\_\_ 18--leaving the aforesaid children and heirs at law: that Cathrine Munsey died on the \_\_\_\_ day of \_\_\_\_ 18\_\_ leaving the following children and heirs at law to wit; Robert Munsey J.G. Munsey J.F. Munsey, M.E. Hazlewood, S.O. Blankenship, Louis Blankenship Mollie Lyons, Hannah Street, who died, leaving Sheridan Street an infant; that on the \_\_\_\_ day \_\_\_\_ of \_\_\_\_ 18\_\_ Jane Russell died leaving the following Children and heirs at law, J.M. Russell, C.C. Russell, Sarah Cawood, who died leaving, Bass Cawood, J.C. Cawood; and Ellen Hickam who died leaving Dudley and Tamey Hickam, children and heirs at law; that on the \_\_\_\_ day of \_\_\_\_ 1906 Josephus Graybeel died leaving the following children and heirs at law; to wit; M.D.L. Graybeel, J.W.M. Graybeel, a nonresident B.C. Graybeel, T.B. Graybeel, Jennie Eversole, a nonresident, Thadeus Graybeel, Cora Hamilton, a nonresident, Darby Ritchie, a non resident, Leona Graybeel, Curry Graybeel, Elmer Graybeel, the last three which are infants.

The object therefore of this bill is to have the aforesaid



tract of land sold, and the proceeds divided among those entitled th  
thereto, and to that end your complainant prays; that the said Martha  
Hobbs, Robert Munsey, J.G. Munsey, J.F. Munsey, M.E. Hazlewood, S.O. Blankenship<sup>2</sup>  
Louisa Blankenship, Mollie Lyons, Sheridan Street, J.M. Russell, C.C. Russell  
, Bass Cawood, J.C. Cawood, Dudley Hickam, Tamy Hickam, M.D.L. Graybeel,  
J.W.M. Graybeel, B.C. Graybeel, T.B. Graybeel, Jennie Eversole, Thadeus  
Graybeel, Cora Hamilton, Darby Ritchie, Leona Graybeel, Curry Graybeel,  
and Elmer Graybeel, be made party defendants <sup>to this bill</sup> and answer the same but  
not on oath, that being waived, that order of publication be posted  
and published against the nonresident defendants, and a proper guardian  
ad litem be assigned to defend for the infant defendants; that a ~~de~~  
decree be rendered to sell the said tract of land and proceeds  
divided among those entitled thereto, and ~~for~~ all other and proper  
relief generally; that the equity of her case requires or to equity  
seem meet and she will ever pray &c.

*M. G. Ely. Jr.*



Costs:

P. Clerk \$8.72  
\$100,000 to m. Shff. 4.00  
P. atty. 15.00  
P. Printer 6.00  
Estimates 5.00  
\$38.72  
G.A.L. 5.00  
Deed 5.00  
\$48.72

Nancy E. Milham

W<sup>34</sup>  
33 Bill in Chancery  
33

Martha Hobbs and others

Sold July 7-1906 to  
N.E. Elds for \$600<sup>00</sup>



Nancy E. Milham Plaintiff.

against  $\frac{2}{3}$  In Chancery —

Martha Hobbs Ed others, Defendants.

This cause came on this day to be heard upon the papers formerly read in the cause, the report of sale by Commissioner M. Y. Ely — and was argued by counsel,

On consideration of which said report being unexcepted to, the same is approved and confirmed, and said Commissioner will distribute the costs in his hands to the parties entitled thereto. And proceed to collect the residue of the purchase money, and when paid M. Y. Ely is hereby appointed a commissioner to make, execute and deliver to the purchaser a deed of special warranty to the land purchased by him in this cause, and said purchase money being fully paid, and said commissioner having made and executed said deed, and filed the same in this cause having been seen and inspected by the Court is approved and confirmed, the purchaser may withdraw the same for recordation, by paying to said Commissioner the sum of \$500 for executing the same, and he will distribute the fund in his hands to the parties entitled and the cause is stricken from the docket,



Nancy E. Miltcham Plff-  
vs. E. E. Deere -  
Mortimer Hobbs. & others  
Deft.

Entered in C.C.B.  
#8, page 202-

Enter this

Hawson

Sept. 18-1906-



Nancy E. Milham, Deff.

against  $\frac{2}{3}$  In Chancery -

Martha ~~Hobbs~~ Hobbs et al. Defts

This cause came on this day to be heard upon the bill of Plaintiff, the answer of the infant defendants by their Guardian ad Litem, duly sworn to and general replication thereto and was argued by Counsel.

On consideration of which, the order of publication having been duly posted and published against the non resident defendants, and process duly executed against the adult defendants, and they failing to appear, answer, plead and demur, the bill as to them is taken for confessed, and the Court being of opinion that it is not practicable to partition said land it is adjudged ordered and decreed that M. H. Ely who is hereby appointed a commissioner for the purpose, will advertise and sell the tract of land described in the said bill at the front door of the Court house of Lee County, after having advertised the same for 30 days by notices posted at the front door of the Court house and in the vicinity of said land, said sale shall be on a credit of one and two years except cost of suit and commission of sale, which will be required paid cash in hand, and for defunct



payments take notes payable to himself with  
good personal security bearing interest  
from date, but before said commission  
acts hereunder he will execute bond  
before the clerk of the court in the  
sum of \$100. conditional according to  
law and he will report to court and  
the cause is continued

Nancy E. Mulepans Poff,  
vs. E. E. Deery -  
Murther Hobbs and others

Entered in C.C.B.  
#8, Page 154.

Entered this

J. A. W. Stone

May. 22 - 1906



7/25/06.

To the Hon. H.A.W.Skeen Judge of the Circuit Court of Lee Co.Va.;-

Your undersigned Commission<sup>er</sup> begs to report that pursuant to a decree entered in the Chancery cause of Nancy E.Mileham, against Martha E.Hobbs and others, entered at the last term of your honor's Court, that he on the 7<sup>th</sup> day of July, 1906, sold the land described in the said bill, at the front door of the Court house of Lee County, to the highest and best bidder, at which sale, H.E.Edds became the purchaser, at the price of sixty dollars, (\$60.00) said purchaser paid your Commission, \$46.72, costs and Commission and executed his note for the remainder, bearing interest from date.

Your Commission<sup>er</sup> considers, that he made a good sale of said tract of land, said purchaser expressed a desire to pay all of purchase money at once and receive a deed, all of which your Commission<sup>er</sup> recommends.

Respectfully, Submitted,

M. G. Ely,

Special Commissioner



Nancy E. Milham  
vs. Report of sale,  
Martha Hobbs Adair

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Filed July 25, 1906  
H. B. S. Hewing,  
clerk



Nancy E. Mikharn

Nancy E.

# Land Sale.

Mikharn

Nancy E. Mikharn

vs. Martha E. Hobbs et al.

IN CHANCERY.

Pursuant to decree of the Circuit Court of Lee County, Virginia, at the May term, 1906, in the above styled cause, the undersigned will, at public outcry, at the front door of the Courthouse of said county, on the 7<sup>th</sup> day of the July term, 1906, of the County Court of said county, proceed to sell, to the highest and best bidder, on a credit of one and two years - time, except so much as may be necessary to pay the cost of suit and expense of sale (which are required to be paid in hand), the following described property: to wit a tract of land containing about 10 acres, situated in Lee County along top of South side of Poor valley ridge, being a small strip belonging to the estate of Jacob Grayholder, for a more particular description see title papers -

Bonds with good and approved personal security will be required of the purchaser for the deferred payments. This 5 day of July, 1906

M. S. G. G., Commissioner.

The Bond required by Law has been given.

W. S. Ewing, Clerk.



Sold to H. E. Edds.  
#60. <sup>00</sup>

$$\begin{array}{r} 43.72 \\ 3 \\ \hline 46.72 \end{array} \quad \begin{array}{r} 60 \\ 46.72 \\ \hline 13.28 \end{array}$$



In the Clerk's Office of the Circuit Court of the County  
Lee

Nancy E. Milham

Plaintiff

against

Josephus Gabriel, et al,

Defendant S.

This day

M. G. Ely

personally appeared

before me

H. C. T. Ewing

Clerk of the said Court,

and being duly sworn, made oath that

M. E. Hazlewood, Robert Munsy, Mollie  
Lyons, Louisa Blankenship, Sheridan Strat, S. O. Blankenship, Bass  
Crawford and Nan Howard

defendants in the said suit are not residents of the State of Virginia,

Given under my hand as Clerk of the said Court, this 27 day of March, 1906,

H. C. T. Ewing, Clerk.



*Nancy E. Milham*

vs.

}

AFFIDAVIT FOR ORDER

OF

PUBLICATION.

*Josephus Grabel, et al,*

*M. G. Ely*

p. q.



In the Clerk's Office of the Circuit Court of the county of Lee, on the 21st  
day of March, 1906,

Nancy E. Milham

against

Plaintiff

In Chancery

Josephus Grabel, et al,

Defendants

The object of this suit is to sell a tract of land containing 11 acres,  
situated on South side of Poor Valley Ridge, owned  
by Jacob Grabel, dec'd, in his life time, and to  
distribute proceeds among those entitled thereto.

And an affidavit having been made and filed that the defendants W. H. Hazlewood, Robert Munsey,  
Mollie Lyons, Louisa Blankenship, Sheridan Street, S. O. Blankenship,  
Bess Caldwell and Nan Howard are  
not residents of the State of Virginia, it is ordered that they do appear here within 15 days  
after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is  
further ordered that a copy hereof be published once a week for four weeks in the Jonesville  
Star and that a copy be posted at the front door of the Courthouse of this county as prescribed  
by law.

A copy—Teste:

M. G. Ely,

p. q.

J. H. Ewing,

Clerk.



Nancy E. Milham

vs.

}

ORDER OF  
PUBLICATION

Josephus Grabel, et al.

Virginia, Lee County, to-wit:

I, H. C. T. Ewing, Clerk of the  
Circuit Court for the County  
aforesaid, in the State of  
Virginia, do certify that I  
posted a true copy of the  
within order of publication  
at the front door of the  
Court-house, <sup>of this County,</sup> on this day.

Given under my hand,  
This the 21st day of March,  
1906,

H. C. T. Ewing, Clerk.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*Josephus Gabriel, Martha Stoltz, J. G. Mumcy, J. F. Mumcy, M. E. Hazlewood, Robert Mumcy, Mollie Lyons, Letitia Haukuship, Sheridan Street, S. C. Haukuship, J. M. Russell, C. C. Russell, Bats Cawood, Nan Howard, J. C. Cawood, Dudley Hickam and Tony Hickam*  
to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the *3rd*, Monday in *April*, 190*6*, to answer a bill in chancery exhibited against *them* by *Nancy E. Mileham*.

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *21*" day of *March*, 190*6*, and 1*30*" year of the Commonwealth.

A Copy, Teste:

*H. C. T. Ewing*, Clerk.

*H. C. T. Ewing*, Clerk.



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VS

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SUBPŒNA  
IN  
CHANCERY.

-----p. q

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To-----Rules.

-----Court.

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*For*  
*Josephus Graval*



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*Josephus Grubbs, Martha Solbs, J. G. Munsy, J. F. Munsy, W. E. Hazlewood, Robert Munsy, Mollie Lyons, Louisa Plunkership, Sheridan Street, S. C. Plunkership, J. M. Russell, C. C. Russell, Bass Cawood, Nan Howard, J. L. Cawood, Dudley Hickam and Tomy Hickam.*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on

the *3rd* Monday in *April*, 190*6*, to answer a bill in chancery exhibited against *Them*  
*by Nancy E. Milham*

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *21*"  
day of *March*, 190*6*, and 1*30*" year of the Commonwealth.

A Copy, Teste:

*H. C. T. Ewing*, Clerk.

\_\_\_\_\_, Clerk.



Nancy E. Milham

VS

SUBPENA  
IN  
CHANCERY.

Josephus Grabel, et al.

M. G. Ely p. q

To 2<sup>nd</sup> April Rules.

Lee Circuit Court.  
1906.

Executed by delivering a  
true copy of writing, procured  
to be the writing of Josephus  
Grabel, et al. D. C. D. J.  
6-1906- for R. M. Ball.

Executed by delivering a true  
copy of the within with the  
Martha Hobbs, Clerk, 20 d

Executed by delivering a true copy  
of the within to D. E. Milham and  
Joseph Milham. This April 2, 1906.

D. E. Milham

D. E. Milham

P. M. Ball, D. C. D.



The Commonwealth of Virginia,

To the Sheriff of the County of <sup>Wise</sup> Lee, Greeting:

WE COMMAND YOU, That you summon

*Josephus Grabel, Martha Grabel, J. G. Munsey, J. F. Munsey, W. E. Hazlewood, Robert Munsey, Mollie Lyons, Louisa Blankenship, Sheridan Street, J. O. Blankenship, J. M. Russell, C. C. Russell, Bass Cawood, Nan Howard, Cawood, Dudley Hickam and Tony Hickam*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the *3rd* Monday in *April*, 190*6*, to answer a bill in chancery exhibited against *Them*

*by Nancy E. Milham,*

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *21* day of *March*, 190*6*, and 1*30* year of the Commonwealth.

A Copy, Teste:

*H. C. T. Ewing*, Clerk.

\_\_\_\_\_, Clerk.



Nancy E. Milhane.

VS

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SUBPŒNA  
IN  
CHANCERY.

Josephus Gabriel, et al.

M. G. Ely

p. q

To 2<sup>nd</sup> April Rules.

Law Circuit Court.

1906.

Executed on the 10<sup>th</sup> day of  
April 1906 By Delivering  
Copy of the Writ to  
J. G. Money in person in  
Wise County Va. E. Boston  
for E. J. Tucker



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon M. D. L. Grabel, J. W. M. Grabel,  
B. C. Grabel, L. B. Grabel, Jennie Eversole, Thad Grabel  
Cora. Hamilton, Darby Ritchie, Lona Grabel -  
Bunny, Grabel, Elmer, Grabel -

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on  
the 3<sup>rd</sup> Monday in April, 1906, to answer a bill in chancery exhibited against by  
Nancy E. Williams.

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 6<sup>th</sup>  
day of April, 1906, and 180 year of the Commonwealth.

A Copy, Teste:

\_\_\_\_\_, Clerk.

H. C. T. Ewing, Clerk.



803423  
Involving, in any way,  
private matter of any  
person or persons.  
Nancy E. Milham

VS

SUBPOENA  
IN  
CHANCERY.

Josephus. Hay, Bell & Co

We the undersigned  
accept legal service  
of within powers this  
April 6-1906 — p. q

To J. B. Grabel Rules.  
B. C. Grabel.  
Leona Grabel. Court.  
Thad Grabel.

H. D. L. Grabel.



## Order of Publication

In the Clerk's Office of the Circuit Court  
of the county of Lee on the 21st day  
of March, 1906.

NANCY E. MILEHAM, Plaintiff,  
against

JOSEPHUS GRABEEL, et al, Defend-  
ants

In chancery.

The object of this suit is to sell a tract  
of land containing 11 acres, situated on  
South side of Poor Valley Ridge, owned  
by Jacob Grabeel, dec'd, in his life time,  
and to distribute proceeds among those  
entitled thereto. And an affidavit hav-  
ing been made and filed that the defend-  
ants M. E. Hazlewood, Robert Munsey,  
Mollie Lyons, Louisa Blankenship, Sher-  
idan Street, S. O. Blankenship, Bass Ca-  
wood and Nan Howard are not residents  
of the State of Virginia, it is ordered  
that they do appear here within 15 days  
after due publication hereof, and do  
what may be necessary to protect their  
interest in this suit. And it is further  
ordered that a copy hereof be published  
once a week for four weeks in the Jones-  
ville Star and that a copy be posted at  
the front door of the Courthouse of this  
county as prescribed by law.

A copy--Test:

H. C. T. EWING, Clerk.

M. G. ELY, p. q.



Nancy E. Mileham-----

vs { In Chancery-----

Josephus Grabeel-----

\*\*\*§\*\*\*

I, J. C. Boatright-----, editor  
of The Jonesville Star, a weekly newspaper  
published in the county of Lee, state of Virginia,  
do hereby certify that the enclosed notice was  
published in said paper once a week for four  
successive weeks, commencing on the 15-----  
day of March-----1906-----

-----, Editor.

FEE \$6.00-----